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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.07.2024
CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P(MD)No.13407 of 2024

Ayub Khan ... Petitioner

Vs.

1.The District Collector,
O/o.District Collectorate Office,
Ramanathapuram,
Ramanathapuram District.

2.The Sub Collector cum
Revenue Divisional Officer,
Paramakudi Division,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to register the Death of the petitioner's son and issuing Death Certificate of the petitioner's son, namely, Mohamed Hanifa to the petitioner, based on the petitioner's representation dated 27.05.2024.

For Petitioner : Mr.K.Yasar Arafath

For Respondents : Mr.K.Balasubramani
Special Government Pleader

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ORDER

Heard both sides.

2.The petitioner's son, namely, Mohamed Hanifa married one Foujiya in the year 2017. Through the wedlock, two children were born (Hasmina Jariya and Mohamed Hasik). The petitioner's son passed away on 19.02.2022. The petitioner's daughter-in-law has returned to her home of birth in Kerala. The petitioner's grandchildren intend to pursue studies in Kerala. School in which the grandchildren have joined required the death certificate of the petitioner's son. Therefore, the petitioner moved the second respondent for registering his son's death. Since there was some delay, the present writ petition came to be filed.

3.The petitioner has since given a paper publication in Thina Boomi dated 27.06.2024. No objection has been received till date. In the typed set of papers, the local Jamaat had issued certificate stating that Mohamed Hanifa son of M.H.Ayub Khan passed away on 19.02.2022 and that he was buried in the Maiyavadi belonging to Emaneswaram Jamaat on 20.02.2022. The Sanitary Officer, Paramakudi Municipality has also issued Non-Availability Certificate. Paper publication has

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been made. Notary attested affidavit has also been filed in the typed set of papers. In these circumstances, there cannot be any impediment for registering the petitioner's son's death.

4.The second respondent is directed to register the petitioner's son's death and issue death certificate as prayed for immediately and without delay. In any event, within a period of **(*)ten days** from the date of receipt of a copy of this order.

5.This writ petition is allowed accordingly. There shall be no order as to costs.

Sd/-
Assistant Registrar (AE)

(*)Corrrected as per the order of this court dated 4/7/24

Sd/-
Assistant Registrar (Records)

// True Copy //

04/07/2024
Sub Assistant Registrar

MGA
(*)To be substituted the order already despatched on 03/07/2024
To

1.The District Collector,
O/o.District Collectorate Office,
Ramanathapuram, Ramanathapuram District.

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2.The Sub Collector cum
Revenue Divisional Officer,
Paramakudi Division,
Paramakudi, Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.K.YASAR ARAFATH, Advocate (SR-31699[F] dated 03/07/2024)
+1CC to SPL.GP.SR.No.32263/2024

W.P(MD)No.13407 of 2024
02.07.2024

RD(03/07/2024) 4P / 5C
KB(04/07/2024) 4P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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